

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 FEB 28 AM 10:30

DEPUTY CLERK

BRUCE DWAIN COPELAND

Plaintiff,

v.

D&J CONSTRUCTION LLC, ET...AL,

Defendants.

Case No. 3:13-CV-4432-N-BH

MOTION FOR ENTRY OF DEFAULT

Plaintiff Bruce Dwain Copeland request that the Clerk of Court enter Default against Defendant D&J Construction LLC, pursuant to Federal Rule of Civil Procedure 55(a). Defendant and Defendant's representative was not properly before the Court when they attempted to file an answer on February 4, 2014. THEREFORE, defendant's attempted answer should be stricken and default should be entered in accordance with Federal Rule 55(a). In support of this request plaintiff rely upon the record in this case and the affidavit submitted herein.

Dated this 28th day of February 2014.

Respectfully submitted,



Bruce Copeland, In pro se

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**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
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BRUCE DWAIN COPELAND

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))))))))


Case No. 3:13-CV-4432-N-BH

AFFIDAVIT IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT

I, Bruce Dwain Copeland, being duly sworn, state as follows:

- 1. I am the Plaintiff in the above-entitled action and I am familiar with the file, records and pleadings in this matter.**
- 2. The Summons and Complaint we filed on November 5, 2013.**
- 3. Defendant D&J Construction LLC, was served with a copy of the summons and complaint on January 20, 2014, as reflected on the docket sheet by the proof of service filed on January 21, 2014.**
- 4. An answer to the complaint was due on February 11, 2014.**
- 5. Defendant has failed to appear, plead or otherwise defend within the time allowed and, therefore, is now in default.**
- 6. Plaintiff request that clerk of Court enter default against the Defendant.**

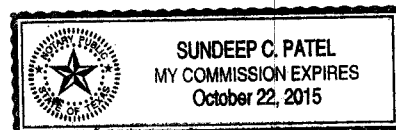
Sworn to and subscribed before
this 28th day of Feb 2014



Notary Public


Plaintiff, In Pro Se

My Commission Expires: Oct 22, 2015



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BRUCE DWAIN COPELAND

Plaintiff,

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Case No. 3:13-CV-4432-N-BH

ENTRY OF DEFAULT

Plaintiff request that clerk of Court enter default against defendant Darrell Gray, pursuant to Federal Rule of Civil Procedure 55(a). It appearing from the record that defendant has failed to appear, plead or otherwise defend, the default of defendant D&J Construction LLC, is hereby entered pursuant to Federal Rule of Civil Procedure 55(a).

Dated the 28th, day of February, 2014

Clerk of Court